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PATENT & TRADEMARK OFFICE

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In the United States Patent and Trademark Office

Appn. Filed: 12/05/2001
Appn. #: 10/679,305
Applicant: Elizabeth Gay Frayne
Title: "Manipulation of RNA Stability and Protein Synthesis Using Thio-phosphate"
Examiner: Nancy T. Vogel
Art Unit:1636

Assistant Commissioner for Patents
Arlington, Virginia, 22313

RE: Response to Office Action Dated 9/20/07

Sir:

The present patent is a divisional patent of a parent patent that has issued or US Patent 7,125,982. The original examiner requested the patent be split into the parent and two divisional patents I am including a terminal disclaimer to overcome the examiner's double patenting objections for claim 8. As a part of this I am also including a signed statement as required under 37 CFR 3.73(b). The present divisional patent application is commonly owned with the parent patent that issued. I have not included the fee because I could not find out how much was owed for a small business entity. I have also responded to claim rejections 35 USC 112 below and have modified the claims 8-13 to make them clearer and to overcome the examiner's objections (see Claims Amendment below).

Response to Claims Rejections 35 USC 112

Claim 9 concerns the use of thio-phosphate as a feed source to modify mRNA in multi-cellular organisms. The parent application describes the use of thio-phosphate as a feed source to modify DNA in fish. For this study the level of phosphate in the feed was determined (< 1 mg.L) and a much higher equivalent of thio-phosphate was then added (250 mg/L).